

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2015 NOV -4 PM 3:00

UNITED STATES OF AMERICA                           §  
   §  
VS.   §      CASE NO.: 2:15-CR-85 (2)  
   §  
JOEL OSCAR GELABET-HERNANDEZ                   §

DEPUTY CLERK *Lyz*

REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY

On November 4, 2015, defendant JOEL OSCAR GELABET-HERNANDEZ, by consent, under authority of United States v. Dees, 125 F.3d 261 (5<sup>th</sup> Cir. 1997), appeared before me pursuant to Fed. R. Crim. P. 11, and entered a plea of guilty to Count 2 of the Indictment. After cautioning and examining JOEL OSCAR GELABET-HERNANDEZ under oath concerning each of the subjects set out in Rule 11, I determined the guilty plea was knowingly and voluntarily entered and that the offense(s) charged are supported by an independent basis in fact containing each of the essential elements of such offense.

I, THEREFORE, RECOMMEND that the guilty plea be accepted and that JOEL OSCAR GELABET-HERNANDEZ, be adjudged guilty and have sentence imposed accordingly.

IT IS SO ORDERED.

ENTERED this 4 day of November 2015.

  
CLINTON E. AVERITTE  
UNITED STATES MAGISTRATE JUDGE

NOTICE

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar the aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).